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In re Application of	:	NOTIFICATION
CORDEMANS DE MEULENAER et al.	:	
Application No.: 10/533,679	:	
PCT No.: PCT/US03/35029	:	
Int. Filing Date: 04 November 2003	:	
Priority Date: 04 November 2002	:	
Attorney Docket No.: ASHL001A	:	
For: DEVICE AND PROCESS FOR	:	
TREATING A LIQUID MEDIM USING	:	
ULTRASOUND IN PREVENTING THE	:	
GROWTH OF HYPERPROLIFERATIVE OR	:	
INFECTED CELLS	:	

This notification is in response to applicants' submission filed 27 February 2007, which included, *inter alia*, a declaration of inventors.

**BACKGROUND**

On 04 November 2003, applicant filed international application PCT/US03/35029, which designated the United States and claimed a priority date of 04 November 2002. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 21 May 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 04 May 2005.

On 03 May 2005, applicants filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 28 November 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) were required.

On 31 May 2006, applicants filed a submission including a declaration of inventors and the surcharge under 37 CFR 1.492(h).

On 11 October 2006, a Notification was mailed indicating that the declaration filed 31 May 2006 did not list the inventorship set forth in the international application and that the declaration executed the wrong application number (11/533,679 rather than 10/533,679). The Notification indicated that a Form PCT/IB/306 for only one of the inventors appeared in the application file. The Notification also indicated that a new declaration of inventors was required.

On 16 November 2006, applicant filed a submission which was accompanied by, *inter alia*, a Form PCT/IB/306 for five inventors.

On 01 February 2007, a Notification was mailed indicating that the declaration filed 31 May 2006 indicated the correct inventorship but that the declaration executed application number 11/533,679 rather than application number 10/533,679.

On 27 February 2007, applicants filed the instant submission which includes a declaration of inventors.

#### **DISCUSSION**

The declaration filed with the petition is an improper composite declaration, consisting of one of Page 1 and two of Page 2 and one of Page 3. Each inventor must be presented with a complete declaration which lists all of the inventors, and the signature of each inventor must appear on at least one complete declaration. Multiple complete declarations may be submitted, but it is not permissible to combine pages of separate documents.

#### **CONCLUSION**

Since the reply filed 27 February 2007 appears to have been bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to provide a proper declaration or declarations in compliance with 37 CFR 1.497(a)-(b). Failure to timely file a proper reply will result in abandonment of the application.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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